

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREGORY BARTUNEK,

Defendant.

8:17CR28

ORDER

This matter is before the Court on multiple motions filed by Defendant Gregory Bartunek, specifically, Filing Nos. 94, 101, 103, 107, 108, 110, 111. Each of these motions will be addressed below.

In Filing No. 94, Defendant requests that the government disclose whether it intends to use any evidence of crimes, wrongs or other acts at trial in this case under Federal Rule of Evidence 404(b)(2). ([Filing No. 94](#).) Defendant's motion will be granted. It appears, however, that the government previously provided this information to Defendant. (*See* [Filing No. 77](#)). Insofar as the government has not provided the information requested, it must do so no later than June 2, 2017.

Defendant has submitted two separate documents ([Filing Nos. 103, 107](#)) which relate to the motion to suppress found at Filing No. 72. One document is entitled "Brief in Support of Motion to Amend Brief of Doc. 72 Previous Allegations and Investigations" ([Filing No. 103](#)), and the other is entitled "Motion to Amend" ([Filing No. 107](#)). In each of these filings, Defendant seemingly seeks to amend the brief he filed in support of the motion to suppress found at Filing No. 72. Defendant's request to amend his brief will be granted.

Defendant has also submitted two separate documents purportedly seeking to amend the brief Defendant filed in support of the motion to suppress found at Filing No. 47. ([Filing Nos. 101, 108](#).) These documents are entitled "Brief in Support of Second Motion to Amend Brief of Doc. 47 to Suppress" ([Filing No. 101](#)) and "Second Motion to Amend" ([Filing No. 108](#)). To the extent Filing No. 101 is intended to be a motion, it will be denied. Filing No. 101 is not signed

and does not provide any specifics as to the amendments sought. Through Filing No. 108, Defendant attempts, at least in part, to assert grounds for suppression that were not contained in his initial motion to suppress. Because the deadline for filing pretrial motions has passed, these additional grounds for suppression will not be considered. Therefore, Filing No. 108 will be denied. Still, to the extent that Defendant's proposed amendment ([Filing No. 108](#)) actually supplements arguments previously advanced in the motion to suppress at Filing No. 47, it will be considered.

In Filing No. 110, Defendant requests that the Court assist him in obtaining documents. ([Filing No. 110](#).) The Court cannot provide such assistance.

Through Filing No. 111, Defendant asks that the Court arrange for him to review the grand jury files for this case. ([Filing No. 111](#).) This motion will be denied as untimely. The deadline for filing pretrial motions was April 28, 2017. Defendant did not file his motion seeking review of the grand jury files until May 15, 2017.

Accordingly,

IT IS ORDERED:

1. Filing No. 94 is granted. Insofar as the government has not provided the information requested, it must do so no later than June 2, 2017.
2. Filing Nos. 103 and 107 are granted as set forth above.
3. Filing Nos. 101, 108, 110 and 111 are denied.

Dated this 19th day of May, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge